

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RITA SCHMIDT LODUCA *et al.*,

*Plaintiffs,*

v.

WELLPET LLC,

*Defendant.*

Civil Action

No. 21-cv-954

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of June, 2022, upon consideration of Defendant's Motion to Strike the Class Allegations (ECF No. 50), Plaintiffs' response in opposition thereto (ECF No. 53), Defendant's reply (ECF No. 55), and Plaintiffs' proposed surreply (ECF No. 64), and for the reasons set out in the accompanying memorandum opinion, it is hereby **ORDERED** that:

1. Plaintiffs' Motion for Leave to File a Surreply (ECF No. 64) is **GRANTED**.
2. Defendant's Motion to Strike the Class Allegations (ECF No. 50) is **GRANTED**.
3. Pursuant to Rule 23(d)(1)(D), the class allegations are **STRICKEN** from Plaintiffs'

Amended Complaint and this case shall proceed as an individual action.

**BY THE COURT:**

/s/ Mitchell S. Goldberg  
**MITCHELL S. GOLDBERG, J.**